

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L. Madoff
Investment Securities LLC and the Estate of Bernard
L. Madoff,

Plaintiff,

v.

JEROME O'HARA, BERNADETTE O'HARA,
O'HARA FAMILY PARTNERSHIP, ELIZABETH
SARRO, GEORGE PEREZ, and JEANETTE PEREZ,

Defendants.

Adv. Pro. No. 10-04272 (SMB)

**STIPULATION AND ORDER FOR
VOLUNTARY DISMISSAL OF ADVERSARY PROCEEDING**

Irving H. Picard (the "Trustee"), as trustee for the substantively consolidated SIPA liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the estate of Bernard L. Madoff individually, and Jerome O'Hara, Bernadette O'Hara, O'Hara Family Partnership, Elizabeth

Sarro, George Perez, and Jeanette Perez (collectively, the “Defendants,” and together with the Trustee, the “Parties”), by and through their respective undersigned counsel, hereby stipulate and agree to the following:

1. In November 2010, the Trustee filed the Complaint against the Defendants.
2. In or about August 2017, the Parties entered into a settlement agreement pursuant to the Settlement Procedures Order entered by this Court on November 12, 2010 [ECF No. 3181].
3. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal without prejudice of the Trustee’s claims against the Defendants in the above-captioned adversary proceeding and to a dismissal of the adversary proceeding.
4. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.
5. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photocopy, or electronic copy of this Stipulation shall be deemed an original.

[SIGNATURES BLOCKS ON FOLLOWING PAGE]

Dated: August 18, 2017
New York, New York

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*Attorney for Defendants Elizabeth Sarro and
O'Hara Family Partnership*

SO ORDERED

Dated: August 18th, 2017
New York, New York

/s/ STUART M. BERNSTEIN
HON. STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE